

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING**

**UNITED STATES OF AMERICA,**

Plaintiff,

**v.**

**CRIMINAL ACTION NO. 5:15-CR-67-2  
(BAILEY)**

**TAMMY BAMBERGER,**

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On this day, the above-styled matter came before this Court for consideration of the Report and Recommendation of United States Magistrate Judge James E. Seibert [Doc. 40]. Therein, the Magistrate Judge Seibert notes that the defendant has entered into a plea agreement with the Government, and orders that the Amended Order Granting Second Motion to Continue Trial and to Extend Deadlines setting the hearing on pretrial motions be vacated as the hearing is no longer necessary. The magistrate judge also recommends this Court deny the defendant's pending motion to suppress as moot.

Upon careful review, it is the opinion of this Court that the **Report and Recommendation [Doc. 40]** should be, and is, hereby **ORDERED ADOPTED**. Accordingly, this Court **ORDERS** that the defendant's Motion to Suppress [Doc. 35] be **DENIED AS MOOT**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** April 13, 2016.



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE